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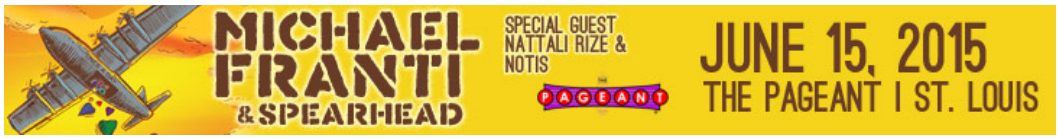

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Drugs

BREAKING: Gov. Nixon Commutes Life Sentence Of Jeff Mizanskey

By Danny Wicentowski Fri., May 22 2015 at 3:51 PM
Categories: Drugs

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Jeff Mizanskey has been in prison for more than twenty years.

Governor Jay Nixon has commuted the sentence of Jeff Mizanskey, a 61-year-old grandfather serving a life sentence for three non-violent marijuana convictions.

"The executive power to grant clemency is one I take with a great deal of consideration and seriousness," Nixon said in a press release announcing the commutation of Mizanskey's sentence. He also pardoned five other non-violent offenders.

Regarding Mizanskey, Nixon's remarks imply that he will be given a parole hearing:

"In the case of the commutation, my action provides Jeff Mizanskey with the opportunity to demonstrate that he deserves parole," Nixon said.

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Riverfront Times broke the news that Mizanskey has been rotting in jail in a 2013 feature story that investigated the relatively minor (and non-violent) pot busts that preceded his 1993 arrest for being involved in the sale of a six to seven pounds of marijuana. Because it had been his third drug offense, Mizanskey was sentenced to life without parole under the state's Prior and Persistent Drug Offender statute, a law that was repealed last year.

"It's wonderful. Thank Jay Nixon for doing that, for finally looking at his case and doing the right thing," said Michael Mizanskey, Jeff's brother.

When we spoke to Aaron Malin, a researcher with Show Me Cannabis who has helped publicize demands for Mizanskey's release, he was running out the door to drive to the prison to tell Mizanskey the news before visiting hours end today.

"I am still in shock but obviously thrilled," Malin says. "My understanding is Jeff doesn't know."

Mizanskey will of course have to apply for parole and be approved for release. Malin says he should be eligible to apply immediately but wasn't sure how soon he could get a hearing.

Neither Malin nor Michael Mizanskey had any idea that this decision was coming down today. Michael, who lives in Chicago, is actually on vacation in Florida with his family.

"I'm very emotional. I'm overjoyed he has a chance," he says. "In almost 22 years he had two write-ups, one for putting mail in the wrong slot and one for a messy floor. Tell me that's not a model prisoner. No fights, no nothing. Tell me that's not a model prisoner."

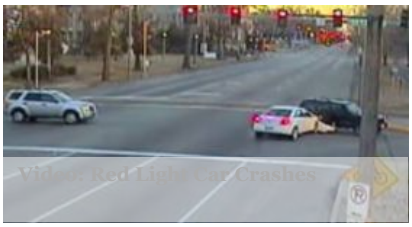
Reached for comment via email, Missouri Department of Corrections spokesman David Owen says Mizaneky's parole hearing date will be set for "sometime this summer." In general, an offender up for parole will receive written notice of the parole board's decision three to six weeks after the hearing.

For the full background, make sure to read former RFT staff writer Ray Downs' incredible feature story, ***Life for Pot: How a Missouri Man Could Die in Prison for Weed***.

Here's Nixon full press release:

> Gov. Nixon grants pardons to five non-violent offenders; commutes Jeffrey Mizanskey's sentence to make him eligible for parole consideration
>
> JEFFERSON CITY - Gov. Jay Nixon today announced that he has granted pardons to three men and two women convicted of non-violent offenses. Each of the individuals has completed his or her sentence and has become a law-abiding citizen. In addition, the Governor has commuted the sentence of Jeffrey Mizanskey to make him eligible for parole consideration. In 1996, Mizanskey was sentenced as a persistent drug offender to life without the possibility of parole.
>
> "The executive power to grant clemency is one I take with a great deal of consideration and seriousness," Gov. Nixon said. "In each of the cases where I have granted a pardon, the individual has demonstrated the ability and willingness to turn his or her life around and become a contributing member of society."
>
> In addition to the pardons, Gov. Nixon today also commuted the sentence of Jeffrey Mizanskey, who was convicted on a charge stemming from Pettis County in 1996 for possession of a controlled substance with intent to deliver/distribute. Because of Mizanskey's prior drug-related convictions, he was sentenced as a persistent offender under the laws in effect at the time to a sentence of life in prison without the possibility of parole. The Governor's commutation changes that sentence to include the possibility of parole, effective immediately.
>
> "In the case of the commutation, my action provides Jeff Mizanskey with the opportunity to demonstrate that he deserves parole," Gov. Nixon said.
>
> Those granted pardons are:
>
> Michael Derrington has been a substance abuse counselor for almost 30 years and received the Helen B. Madden Memorial Award from the National Council of Alcohol and Drug Abuse in 2008 for his work in the field. In 1979, he was convicted of misdemeanor marijuana possession in St. Louis County and paid a $100 fine.
>
> Nicole Lowe lives in Tennessee and has been employed as a loan officer with various banking and mortgage companies. In 2000, she was given a suspended execution of sentence in St. Francois County after being convicted of misdemeanor stealing for taking two deposits from her employer. Lowe returned the amount she stole and successfully completed a two-year term of probation.

From the Vault



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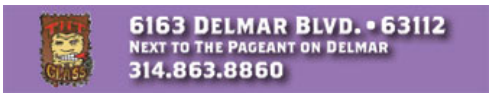

Bill Holt worked as a school bus driver for nearly three decades. In 1958, he was convicted of misdemeanor non-support in Douglas County and spent less than two weeks in the county jail before being placed on probation. Holt successfully completed his probation.

Doris Atchison has completed a vocational heating and air condition program. In 1970, she was convicted in Cape Girardeau County of misdemeanor stealing of items valued at $1.46 from a local store. For the crime, she paid a $45 fine.

Earl Wolf has worked as a carpenter and as a truck driver. In 1961, he and two others broke into a grocery store in Mercer County and stole several items. He was convicted on misdemeanor burglary and larceny charges and received a three-year term of probation, which he successfully completed.

This is a breaking story, we will update as more information comes in about Mizanskey's future.

Follow Danny Wicentowski on Twitter at @D_Towski. E-mail the author at Danny.Wicentowski@RiverfrontTimes.com

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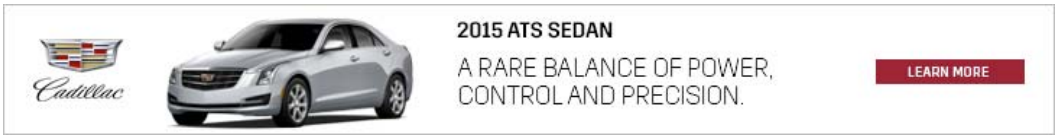

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